

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF MISSISSIPPI
SOUTHERN DIVISION

NORTHROP GRUMMAN SHIP SYSTEMS,
INC., formerly known as INGALLS
SHIPBUILDING, INC.

PLAINTIFF

VERSUS

CIVIL ACTION NO. 1:02cv785WJG-JMR

THE MINISTRY OF DEFENSE OF THE
REPUBLIC OF VENEZUELA, and
BANK OF NEW YORK

DEFENDANTS

ORDER

THIS CAUSE comes before the Court on motions of the Defendant, The Ministry of Defense of the Republic of Venezuela [Republic], to amend/correct the order on the motion to compel [229], which includes a motion to stay the case; and a second motion to amend or correct the motion to compel [231]. Also before the Court is a cross motion to amend/correct the order on the motion to compel [232] filed by the Plaintiff, Northrup Grumman Ship Systems, Inc. [Northrup Grumman], seeking to compel arbitration in this district.

The Court acknowledges that the Republic disagrees with the outcome of the order dated December 4, 2010, and seeks to change that outcome through an appeal to the Fifth Circuit Court of Appeals [Fifth Circuit]. (Ct. R., Doc. 227, 229, 231.) The Republic filed an appeal of the decision on December 30, 2010. (Ct. R., Doc. 230.) The Court, however, finds no reason to change its earlier order, and further finds that the December 4, 2010, order should stand as entered in the record. *See Citifinancial Corp. v. Harrison*, 453 F.3d 245, 250-52 (5th Cir. 2006). The Court further finds that the motions to amend and/or correct that order should be denied. The parties shall notify the Court within fifteen (15) days of the entry date of this order of the mutually agreeable location for the arbitration of this matter, and arbitration should take place within forty-five (45) days of the entry date of this order. It

is therefore,

ORDERED that the Republic's motions to amend/correct the December 4, 2010, order entered in this cause [229, 231] be, and are hereby, denied. It is further,

ORDERED that Northrup Grumman's motion to amend/correct the December 4, 2010, order entered in this cause [232] be, and is hereby, denied. It is further,

ORDERED that the parties should notify the Court within fifteen (15) days of the entry date of this order of the agreed location for the arbitration of this matter, and arbitration should take place within forty-five (45) days of the entry date of this order. It is further,

ORDERED that the parties bear their respective costs associated with these motions.

SO ORDERED, this the 10th day of March, 2011.

Walter J. Lee III

UNITED STATES SENIOR DISTRICT JUDGE